

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 935

H.P. 656

House of Representatives, March 6, 1991

Received by the Clerk of the House on March 4, 1991. Referred to the Committee on Education and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative OLIVER of Portland.

Cosponsored by Representative HANDY of Lewiston, Representative PARADIS of Frenchville and Senator CLEVELAND of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act Requiring School Districts to Make Instruction in Braille
Reading and Writing Available to Blind Students.**

Be it enacted by the People of the State of Maine as follows:

20-A MRSA §4708 is enacted to read:

§4708. Blind students; instruction in Braille

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Blind" means:

(1) Having visual acuity of 20/200 or less in the better eye with conventional correction or having a limited field of vision so that the widest diameter of the visual field subtends an angular distance not greater than 20 degrees;

(2) Having a reasonable expectation of visual deterioration; or

(3) Being unable to read printed material with facility and at a competitive rate of speed due to lack of visual acuity.

B. "Braille" means the system of reading and writing through touch, commonly known as standard English Braille.

C. "Student" means any student who is blind or any student eligible for special education services for the visually impaired.

2. Braille instruction; availability. All students may receive instruction in Braille reading and writing as part of an individualized education plan pursuant to subsection 3. A student may not be denied the opportunity of instruction in Braille reading and writing solely because the student has some remaining vision.

3. Level of instruction; individualized education plan. Instruction in Braille reading and writing must be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with that student's sighted peers of comparable grade level and intellectual functioning. Each student's individualized education plan must specify:

A. The method of implementation utilizing Braille as a primary mode of learning through integration with normal classroom activities. If Braille is not provided to a child who is blind, the reason for not incorporating Braille in the individualized education plan must be documented in that individualized education plan;

2 B. The date on which Braille instruction begins;

4 C. The level of competency in Braille reading and writing
to be achieved by the end of the period covered by the
individualized education plan; and

6 D. The duration of each session of Braille instruction.

8
10 4. Certification. As part of the certification process,
teachers certified in the education of blind and visually
impaired students must demonstrate competence in reading and
12 writing Braille. The Department of Education shall adopt
procedures to assess competency. These procedures must be
14 consistent with standards adopted by the National Library Service
for the Blind and Physically Handicapped, Library of Congress,
16 Washington, D.C.

18
20 **STATEMENT OF FACT**

22 This bill encourages the availability of instruction in
24 Braille reading and writing as part of a blind student's
individualized education plan. For purposes of this instruction,
"blind" is defined to include any student who has a reasonable
expectation of visual deterioration or any student who is unable
to read printed material at a competitive rate of speed and with
facility because of a lack of visual acuity. Under the bill,
teachers certified in education of blind and visually impaired
students must demonstrate competence in reading and writing
30 Braille.